
**IN THE
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

JANE DOE, A MINOR STUDENT, BY AND THROUGH HER PARENTS AND NEXT
FRIENDS, JANET DOE AND JOHN DOE,

Plaintiffs,

v.

CLEVELAND CITY SCHOOLS BOARD OF EDUCATION; CLEVELAND MIDDLE SCHOOL; MS.
LENEDA LAING, IN HER INDIVIDUAL CAPACITY AS PRINCIPAL OF CLEVELAND MIDDLE SCHOOL;
MS. STEPHANIE PIRKLE, IN HER INDIVIDUAL CAPACITY AS VICE-PRINCIPAL OF CLEVELAND
MIDDLE SCHOOL; MR. RAUL CRUZ, IN HIS INDIVIDUAL CAPACITY AS THE SCHOOL RESOURCE
OFFICER OF CLEVELAND MIDDLE SCHOOL; MS. LAUREN LASTORIA, IN HER INDIVIDUAL
CAPACITY AS THE 6TH GRADE COUNSELOR AT CLEVELAND MIDDLE SCHOOL; MS. TERRY
ESQUIANCE, IN HER INDIVIDUAL CAPACITY AS JANE DOE'S HOMEROOM TEACHER; AND MS.
ASHLEY KEITH, IN HER INDIVIDUAL CAPACITY AS JANE DOE'S MATH TEACHER;

Defendants.

No. 1:20-CV-347

The Honorable Travis R. McDonough

JURY IS DEMANDED

UNOPPOSED MOTION TO PROCEED PSEUDONYMOUSLY

COME THE PLAINTIFFS herein, Jane Doe., Janet Doe, and John Doe, by and through undersigned counsel, and move this Honorable Court for an Order granting Plaintiffs leave to proceed pseudonymously, in addition to an Order placing their respective identities under Seal.

FOR CAUSE, your Plaintiffs aver that plaintiff Jane Doe is a minor, the allegations

herein address sexual harassment and battery, and, as a result, Plaintiff Jane Doe has suffered mental and emotional trauma associated therewith, and, accordingly, Plaintiff Jane Doe is presently being treated by a psychiatrist. Plaintiff Jane Doe's fragile mental and emotional state is such that the use of her actual name in Pleadings would likely result in undue attention and harassment from her peers, and possibly even the surrounding community, which would almost certainly result in additional trauma, thereby requiring her parents to remove her from school so as to prevent any additional harm to their daughter.

ADDITIONALLY, and further, your Plaintiffs aver that if Plaintiff Jane Doe's parents are not also permitted to also proceed pseudonymously, the disclosure of their actual names would lead to the identification of the minor Jane Doe, thereby frustrating the very purpose of concealing said minor's identity.

Counsel for Plaintiffs have conferred with adversary counsel and have provided adversary counsel with the names of Plaintiffs so as to facilitate adversary counsel's preparation of a defense for his clients. Adversary counsel has advised that he has no objection to the plaintiff's proceeding pseudonymously. However, adversary counsel has requested that Plaintiffs amend their Complaint to include Plaintiffs' first and last initials as substitute placeholders names in order to comply with Doe v. City of Memphis, 2014 WL 11514980, at *2-3 (W.D. Tenn. 2014) and to give the Defendants thirty (30) days to answer the Amended Complaint following the entry of the Court's Order.

Plaintiffs attach hereto a copy of the Proposed Amended Complaint to be filed prior to a responsive pleading in the event this Honorable Court sees fit to grant this Motion allowing Plaintiffs to proceed under the placeholder names referenced herein, which shall then be filed as Plaintiffs' Amended Complaint.

WHEREFORE, PREMISES CONSIDERED, your Plaintiffs, by and through undersigned counsel, move this Honorable Court for an Order granting these Plaintiffs leave

to proceed with their cause of action pseudonymously so as to protect the minor plaintiff, and to give the Defendants an additional thirty (30) days to answer the Amended Complaint.

Respectfully submitted,

/s:/ Jonathan Taylor Thomas

Jonathan Taylor Thomas, BPR #036278

Attorney for Plaintiffs

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/s:/ Russell Leonard

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CERTIFICATE OF SERVICE

I, Russell L. Leonard, hereby certify that a true and exact copy of this pleading has been served on the following interested parties in this cause by placing a true and correct copy of the same by hand delivery, electronic filing system, or by first-class mail with sufficient postage thereon to carry to its destination as follows:

Jonathan Swann Taylor
800 South Gay Street, Suite 600
Knoxville, Tennessee 37929

This the 1st day of February 2021.

/s:/ Russell L. Leonard
RUSSELL L. LEONARD
JONATHAN TAYLOR THOMAS